

## REMARKS

The Non-Final Office Action mailed September 5, 2007 considered claims 1-18, 21-24, and 26-41. Claims 1-11, 15-18, 23, 26-27, and 32-38 were rejected under 35 U.S.C. 103(a) as being unpatentable over Serlet et al. (US 6,842,770) hereinafter *Serlet* and Oehrke et al. (US 6,735,631) hereinafter *Oehrke*. Claims 12-14, 28-30, and 39-41 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Serlet* and *Oehrke*, and further in view of Prust (US 6,714,968). Claim 24 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Serlet* and *Oehrke*, and further in view of Charisius et al. (US 2002/0078432). Claims 36 and 37 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Serlet* and *Oehrke*, and further in view of French (US 6,654,794).<sup>1</sup>

By this amendment claims 1, 16 and 33 have been amended and no claims have been cancelled.<sup>2</sup> Accordingly, claims 1-18, 21-24 and 26-41 are pending, of which claims 1, 16 and 33 are the only independent claims at issue.

The present invention is generally directed to automatically and transparently handling WebDAV server and file access requests. For example, claim 1 defines maintaining at an I/O manager a stored a priority order that indicates which of a plurality of redirectors has precedence to handle a WebDAV I/O request in the event that two or more suitably configured redirectors respond to a WebDAV I/O request. Each redirector indicates a configuration suitable for handling the I/O request. Next, claim 1 defines receiving at the I/O manager a WebDAV I/O request initiated from an application program, wherein the request indicates a path and filename of a remote file accessible via WebDAV and polling available redirectors to determine which redirectors are configured to handle the application program's WebDAV I/O file request. Each redirector suitably configured to handle the I/O request includes appropriate functionality for receiving and redirecting WebDAV file requests to corresponding WebDAV server computer systems that store the remote files.

Claim 1 further defines receiving responses from a plurality of suitably configured redirectors, each suitably configured redirector being capable of redirecting the received WebDAV I/O file request and determining from the stored priority order which of the plurality

---

<sup>1</sup> Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

<sup>2</sup> Support for the amendments to the claims are found throughout the specification and previously presented claims, including but not limited to paragraphs [0034]-[0037], [0103] and Figure 2.

of suitably configured redirectors has precedence to handle the WebDAV I/O request. Next, claim 1 defines, based on the determination, requesting a local file system of the redirector determined to have precedence to create the file in response to the WebDAV I/O request, downloading the file to a local cache of the redirector's file system, and returning a file handle corresponding to the file in the local cache to the application program. Claim 1 also defines providing access to the file in the local cache of the file system via the file handle and receiving a request to close the file via the file handle, and when received, uploading the file from the local cache of the file system to the WebDAV server.

Claim 15 is a computer program product claim corresponding to claim 1. Claim 16 is a method claim similar to claim 1, more specifically related to using a URI in the I/O request. Claim 32 is a computer program product claim corresponding to claim 16. Claim 33 is a system claim similar to claim 1.

Applicants respectfully submit that the cited art of record does not anticipate or otherwise render the amended claims unpatentable for at least the reason that the cited art does not disclose, suggest, or enable each and every element of these claims.

### **35 U.S.C. 103 Rejections**

*Serlet* describes a system and method by which computer users can seamlessly access remote files using any application with a well-known protocol (Col. 2:51-54). *Serlet* describes a seamless files system (SFS) that allows access to remote files, including WebDAV files, in the same manner as accessing local files without requiring any changes to the program's method of communication with the file system (Col. 2:54-59). SFS is an operating system (OS) extension that forwards remote file requests to a network access program (NAP). The NAP reformats the request to a common protocol (Col. 2:60-67). The remote file system may be cached in the local file system, after which the two file systems are synchronized (Col. 3:10-16).

*Oehrke* describes a method of providing near 100% availability of services by using redirectors to direct network traffic to two or more application processors that provide the same service (Col. 2:61-65). When an application processor is unavailable, the system performs load balancing between the available processors. The redirectors may also be programmed to collect various network management statistics from the application processors to determine the most responsive processor for receiving network traffic (Col. 3:1-4). Using the collected (i.e. polled)

statistics, the redirectors can shape the traffic (by changing packet destination addresses) going to each processor to balance the network load (Col. 5:19-24).

The statistics may include simple network management protocol (SNMP) management information base (MIB) information such as I/O contention, processor/memory utilization, port availability, hop count, round trip speed, data rate, and other information. Weights are applied to the data adding or removing emphasis from some of the collected information. Based on this information, redirectors choose which application processors should receive the network traffic including user requests (Col. 5:54-Col. 6:6, and Col. 8:29-Col. 9:2). No mention is made of determining which redirectors are configured to handle a file request. Indeed, this does not need to be done in *Oehrke*, as it is repeatedly mentioned that the application processors provide the same services (Col. 2:65, Col. 8:40, Claim 1, etc.). Furthermore, no mention is made of precedence, priority order, or determining which redirector has precedence to handle an incoming request based on a stored priority order. *Oehrke* makes determinations as to which application processor should process the request based on weighted statistics gathered by the redirectors, not based on a stored priority order.

Accordingly, none of the cited art teaches or suggests maintaining at an I/O manager a stored priority order that indicates which of a plurality of redirectors has precedence to handle a WebDAV I/O request in the event that two or more suitably configured redirectors respond to a WebDAV I/O request, where each redirector indicates a configuration suitable for handling the I/O request, as recited in claim 1. Furthermore, none of the cited art teaches or suggests determining from the stored priority order which of the plurality of suitably configured redirectors has precedence to handle the WebDAV I/O request, as recited in claim 1. At least for either of these reasons, claim 1 patentably defines over the art of record. At least for either of these reasons, claims 16 and 33 also patentably define over the art of record. Since each of the dependent claims depend from one of claims 1, 16 and 33, each of the dependent claims also patentably define over the art of record for at least either of the same reasons.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any

of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at 801-533-9800.

Dated this 5<sup>th</sup> day of December, 2007.

Respectfully submitted,

/GREGORY R. LUNT/

RICK D. NYDEGGER  
Registration No. 28,651  
GREGORY R. LUNT  
Registration No. 57,354  
Attorneys for Applicant  
Customer No. 47973

RDN:GRL:dso  
CRB0000006682V001